

### Remarks

Upon entry of the amendments made herein, claims 1, 3-4, 29-36, 42-43, 49-62, 66-82 and 84-85 will be pending in this application. By this amendment, Applicants have amended claims 1, 29-33, 35-36, 43, 49-50, 67, 69-71 and 81-82 and have canceled claims 5, 48 and 87. Claims 2, 6-28, 37-41, 44-47, 63-65, 83 and 86 were previously canceled.

Claim 1 has been amended to define R<sup>7</sup> as furanyl, benzofuranyl, thienyl, benzothienyl, indolyl, or pyrrolyl and to correct a typographical error. Support for this amendment can be found in the specification and claims as originally filed *e.g.*, on page 9, lines 33-38 and page 87, lines 4-13.

Claims 29-33 have been amended to maintain consistency with the amendment in claim 1 and to correct typographical errors.

Claims 35-36 have been amended to maintain consistency with the amendment in claim 1 and to correct claim dependencies.

Claim 43 has been amended to maintain consistency with the amendment in claim 1.

Claims 49-50 have been amended to maintain consistency with the amendment in claim 1.

Claim 67 has been amended to define R<sup>7</sup> as furanyl, benzofuranyl, thienyl, benzothienyl, indolyl, or pyrrolyl and to correct a typographical error. Support for this amendment can be found in the specification and claims as originally filed *e.g.*, on page 9, lines 33-38 and page 87, lines 4-13.

Claim 69 has been amended to define R<sup>7</sup> as furanyl, benzofuranyl, thienyl, benzothienyl, indolyl, or pyrrolyl and to correct a typographical error. Support for this amendment can be found in the specification and claims as originally filed *e.g.*, on page 9, lines 33-38 and page 87, lines 4-13.

Claims 70-71 have been amended to maintain consistency with the amendment in claims 67 and 69.

Claim 81 has been amended to define R<sup>7</sup> as furanyl, benzofuranyl, thienyl, benzothienyl, indolyl, or pyrrolyl and to correct a typographical error. Support for this amendment can be

found in the specification and claims as originally filed *e.g.*, on page 9, lines 33-38 and page 87, lines 4-13.

Claim 82 has been amended to include particular species. Support for this amendment can be found in the specification and claims as originally filed *e.g.*, on page 130, compounds HZ and II.

Accordingly, no new matter has been added.

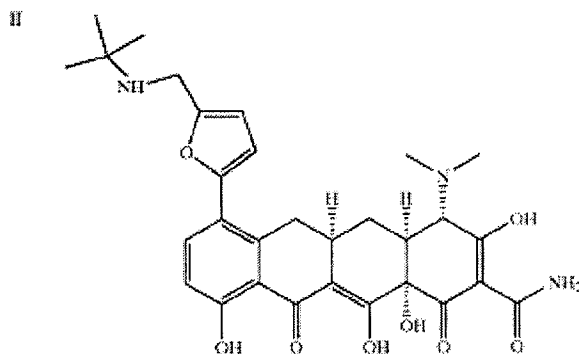
### **Restriction Requirement**

Applicants elect the invention of Group I, claims 1, 3-5, 29-36, 42-45, 48-62, 66-82, 84-85 and 87, drawn to compounds and compositions where aryl represents a furanyl or benzofuranyl group. Applicants note that claims 44 and 45 were canceled in a previous amendment. As a result claims 1, 3-5, 29-36, 42-43, 48-62, 66-82, 84-85 and 87 are currently before the Examiner in view of the aforementioned election.

Applicants believe that Groups III and XVII should be joined with Group I. While Group I is drawn to compounds and compositions where aryl represents a furan or a benzofuran moiety Applicants believe benzothiophene (from Group III) and indole (from Group XVII) should also be included within the scope of Group I.

The furan and benzofuran moieties of Group I both comprise aromatic 5-member heterocyclic ring structures with one heteroatom. The benzothiophene moiety (from Group III) and the indole moiety (from Group XVII) also comprise aromatic 5-member heterocyclic ring structures with one heteroatom. The only difference is the identity of the heteroatom as O, S, or N. The additional moieties of thiophene and pyrrole should, therefore, also be included as they share the same 5-member heterocyclic ring structure. As such, there is no serious burden to search the currently claimed moieties with one heteroatom. As a result, Applicants respectfully request the joinder of Groups III and XVII as well as the thiophene and pyrrole moieties with the currently elected Group I.

The Examiner also required election of a single disclosed species. Accordingly, Applicants elect the following species (compound II from Table 2):



Claims 1, 3-4, 29-30, 32-33, 36, 42-43, 49-62, 66-82 and 84-85 read on the elected species. It is Applicants' understanding that the species election is for searching purposes only, and upon a finding of allowability of the elected species, the remaining species also will be searched.

On the basis of the foregoing remarks, Applicants respectfully submit that the pending claims are in condition for allowance. Such action is respectfully requested. If there are any questions regarding these remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

*Christopher E Olson*

Ivor R. Elrifi, Reg. No. 39,529  
 Heidi A. Erlacher, Reg. No. 45,409  
 Christopher E. Olson, Reg. No. 55,510  
 Attorney/Agent for Applicants  
 c/o MINTZ, LEVIN  
 One Financial Center  
 Tel: (617) 542-6000  
 Fax: (617) 542-2241  
**Customer No. 30623**

Dated: December 5, 2008